

Atty Docket No.: 702.107.2

Remarks

Claims 1-22, 24, 26, 42-44 are allowed, claims 37, 39-41, and 45 are rejected and claim 12 is objected to. The minor objection to claim 12 has been noted and corrected herein. Claims 12, 37, and 45 have been amended herein.

Claims 37, 39-41 and 45 are rejected under 35 U.S.C. §112, ¶1 as failing to comply with the written description requirement. In particular, the Examiner states that the written description does not support where the inner material is a composite, the outer material is a composite, and the intermediate material is a composite of the inner and outer composites. This rejection is traversed.

The various examples cited within the present specification and acknowledged by the Examiner convey to one skilled in the art that various portions/layers of the material according to claims 37+ may comprise a composite material, for example a 50-50 zirconia/HA mix. Therefore, certainly, the specification supports the conclusion that at least one of the layers may comprise a composite. Accordingly, claim 37 has been clarified to reflect that fact while still leaving open the potential that all its layers may comprise a composite material. Therefore, claim 37 is fully supported by the specification and believed to be allowable.

In light of the above, Applicant respectfully submits that all the claims are allowable and an early indication as such is requested.

If any additional fees are required to enter the present amendment, Applicant hereby authorizes the Office to charge our deposit account, Deposit Account No. 502795. If the Examiner feels that prosecution of the present application can be

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materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

Respectfully submitted,

Dated: 23 February 2004

A handwritten signature in black ink, appearing to read "Steven M. Reiss", written over a horizontal line.

Steven M. Reiss
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